

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3494

IN THE MATTER OF:

Served April 27, 1990

Application of TRANSPORTATION )  
MANAGEMENT SERVICES, INC., for )  
Temporary Authority )

Case No. AP-90-17

By application filed April 20, 1990, Transportation Management Services, Inc. (TMSI or applicant), seeks temporary authority to transport passengers, together with baggage in the same vehicles as passengers, in charter operations between points in the Metropolitan District \*/ pursuant to contract with SATO Travel.

Service would be offered Monday through Friday, 7 a.m. through 7 p.m. Applicant would conduct the proposed operations using two 12-passenger vehicles. An additional vehicle would be designated for back-up purposes. Under the terms of the contract, applicant would receive \$17,897.06 monthly from SATO Travel.

With its application TMSI submitted a balance sheet as of January 27, 1990, showing current assets of \$503,794.99 (including \$91,949.07 cash) plus fixed assets, after allowance for depreciation, and other assets of \$126,525. Current liabilities of \$320,078.41 and equity of \$201,266.58 are also listed. Applicant's operating statement for the nine months ended January 27, 1990, lists \$2,819,584 in operating income and \$2,645,491.98 in operating expenses (including depreciation and taxes). During the first 12 months of contract operations, applicant expects to generate \$214,764.72 in income and to incur \$232,661.73 in operating expenses.

In its statement of immediate and urgent need, TMSI states that it is contractually obligated to commence operating the proposed service on April 20, 1990, or as soon as possible thereafter. According to TMSI's president, the requested service is not currently offered by any other carrier. Mr. Gary L. Coates, national operations manager for SATO Travel, submitted a notarized statement in support of the application. SATO Travel is a full service travel agency. SATO Travel intends to offer an airport shuttle service at no cost to passengers. SATO Travel has contracted with TMSI to provide the service. According to Mr. Coates, SATO Travel selected TMSI because no other carrier appeared capable of meeting SATO's time and budgetary constraints while providing quality service.

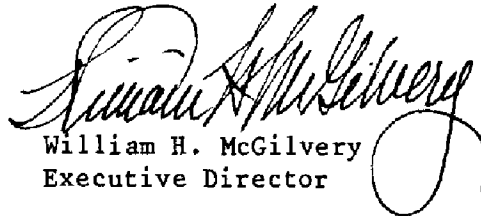
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\*/ To the extent this application could be construed to seek authority to transport passengers solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) an immediate and urgent need for service, (2) no other carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of the application of Transportation Management Services, Inc., and a brief period will be established for the filing of protests. Each protest should contain all evidence and legal argument upon which protestant would rely. No extension of time will be granted. The application is available for inspection at the office of the Commission during regular business hours.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a notarized protest in conformance with this order and Commission Rule No. 14 at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Monday, May 7, 1990, and simultaneously shall serve a copy of such protest on applicant's counsel, David E. Fox, Esquire, 1325 - 18th Street, N.W., Suite 103, Washington, DC 20036.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director